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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/610,095	06/30/2000	Paul Lapstun	NPA051US	3119
24011	7590	11/29/2004	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			HOFFMAN, BRANDON S	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/610,095	LAPSTUN ET AL.
	Examiner	Art Unit
	Brandon Hoffman	2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09 August 2004.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-5 and 7-9 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-5 and 7-9 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \*    c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 20041118.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-5 and 7-9 are pending in this office action.
  
2. Applicant's arguments filed August 9, 2004, have been fully considered but they are not persuasive.

***Rejections***

3. The text of those sections of Title 35, U.S. code not included in this action can be found in a prior office action.

***Claim Rejections - 35 USC § 103***

4. Claims 1-5 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff et al. (U.S. Patent No. 6,081,261) in view of Montlick (U.S. Patent No. 5,561,446).

Regarding claim 1, Wolff et al. teaches a method for registering sensing devices with respective users for use with a computer system, the method including the steps of:

- Providing first and second printed registration forms including registration information and coded data thereon, the coded data including an indication of an identity of the form and at least one reference point on the form (col. 3, lines 25-40 and col. 4, lines 52-58);

- Receiving in the computer system first indicating data from an unregistered sensing device, the first indicating data including information regarding an identity of the unregistered sensing device, the identity of the first form and at least one action of the unregistered sensing device in relation to the first form generated by the unregistered sensing device using at least some of the first coded data (col. 9, line 39 through col. 10, line 34);
- Identifying, from the first indicating data, a first registered user of the computer system (col. 9, line 39 through col. 10, line 38); and
- Receiving in the computer system second indicating data from a registered sensing device, the second indicating data including information regarding an identity of said registered sensing device, the identity of the second form and at least one action of said registered sensing device in relation to the second form generated by said registered sensing device using at least some of the coded data (col. 9, line 39 through col. 10, line 34).

Wolff et al. does not teach storing, in the computer system, first registration data associating an identity of the first registered user with the identity of the unregistered sensing device, or storing, in the computer system, second registration data associating an identity of a second registered user with the identity of the registered sensing device.

Montlick teaches storing, in the computer system, first registration data associating an identity of the first registered user with the identity of the unregistered

sensing device (col. 3, lines 6-13), and storing, in the computer system, second registration data associating an identity of a second registered user with the identity of the registered sensing device (fig. 1, ref. num 12, 14, and 16).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine storing first registration data associating an identity of the first registered user with the identity of the unregistered sensing device and storing second registration data for a second registered user with the identity of the registered sensing device, as taught by Montlick, with the method of Wolff et al. It would have been obvious to combine storing first registration data associating an identity of the first registered user with the identity of the unregistered sensing device and storing second registration data for a second registered user with the identity of the registered sensing device, as taught by Montlick, with the method of Wolff et al. because the stored registration data allows the associated information to be recalled without having to recognize handwritten data, such as a signature. By storing the registration data, any actions performed by a user and the wireless device will automatically be recognized as that particular user.

Regarding claim 2, the combination of Wolff et al. in view of Montlick teaches wherein the at least one action of the unregistered sensing device in relation to the first registration form includes the formation of handwritten text and/or markings on the first form (see col. 10, lines 34-40 of Wolff et al.).

Regarding claim 3, the combination of Wolff et al. in view of Montlick teaches wherein the first indicating data regarding the formation of handwritten text and/or markings on the first registration form is used to derive the identity of the first registered user from information stored in the computer system (see col. 6, lines 31-45 of Wolff et al.).

Regarding claim 4, the combination of Wolff et al. in view of Montlick teaches the step of using the first indicating data regarding the formation of handwritten text and/or markings on the first registration form to generate, from information stored in the computer system, a list form indicating registered users corresponding to the first indicating data (see col. 7, lines 5-14 and col. 8, lines 59-67 of Wolff et al.), the list form having coded data including an indication of an identity of the list form and at least one reference point on the list form (see col. 3, lines 25-40 and col. 4, lines 52-58 of Wolff et al.).

Regarding claim 5, the combination of Wolff et al. in view of Montlick teaches including the step of receiving in the computer system further indicating data from the sensing device, the further indicating data including information regarding the identity of the list form and at least one action of the unregistered sensing device in relation to the list form generated by the unregistered sensing device using at least some of the first coded data, the further indicating data being used to determine one of the listed registered users for correspondence with the unregistered sensing device (see col. 3,

lines 25-0 and col. 4, lines 52-58 and col. 9, line 39 through col. 10, line 34 of Wolff et al.).

Regarding claim 7, the combination of Wolff et al. in view of Montlick teaches:

- Including receiving in the computer system authorizing data from a third sensing device, the authorizing data including information regarding the identity of the third sensing device (see col. 10, lines 34-40 of Wolff et al.),
- The identity of the registration forms and at least one action of the third sensing device in relation to the registration forms generated by the third sensing device using at least some of the coded data (see col. 9, line 39 through col. 10, line 34 of Wolff et al.), and
- The third sensing device being associated in the computer system with a third registered user authorized to permit sensing device registrations (banking systems are well known, as well as other systems, to have an authorized person – such as the teller – sign the checks as valid. The check is then accepted because of the authorized signature. Also, in the work environment, a supervisor signs timesheets and other forms from a worker. The forms are accepted because of the supervisor signature).

Regarding claim 8, the combination of Wolff et al. in view of Montlick teaches wherein the registration forms are printed on demand on the surface of sheet material including printing said coded data thereon (see col. 6, lines 46-52 of Wolff et al.).

Regarding claim 9, the combination of Wolff et al. in view of Montlick teaches including printing the coded data to be at least substantially invisible in the visible spectrum (see col. 7, lines 5-14 of Wolff et al.).

### ***Allowable Subject Matter***

5. The following is a statement of reasons for the indication of allowable subject matter: by amending the preamble of the independent claim, the scope of the claims would be narrow enough to overcome any prior art. The amendment to the independent claim would entail adding “netpage” to either the sensing device, such as “a netpage sensing device,” or to the computer system, such as “a netpage computer system,” or even adding a wherein limitation at the end of the claim, such as “wherein the sensing device is a netpage pen.” See page 10, lines 3-4 and page 48, lines 16-23 of applicants’ specification for support of this proposed amendment.

### ***Response to Arguments***

6. Applicant argues:

- a. Montlick does not teach the limitation of storing registration data associating an identity of a registered user with the sensing device (page 2, last two paragraphs).
- b. The dependent claims are allowable based on their dependency upon the independent claim (page 3, second paragraph).

Regarding argument (a), examiner disagrees with applicant. It is assumed that once doctor 1 logs into the sensing device, doctor 1 is understood to be registered to that particular sensing device. The sensing device can be reregistered to other doctors, for example doctor 2, by performing a login process by doctor 2. Once doctor 2 is logged in, it is understood that doctor 2 is registered to that particular sensing device. Any doctor can be registered to any sensing device; likewise, any device can be registered to any doctor. This is similar to logging into a regular desktop computer. A user may log in; while logged in, it is assumed that any action taken is performed by the logged in user. The user may log out and a different user can log in.

Regarding argument (b), examiner disagrees with applicant. Based on the Examiners remarks for argument (a), the dependent claims stand as rejected.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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